

REMARKS

Claims 1-13, 15-38, 52, and 53 are pending. Independent claims 39 and 49, each directed to a data acquisition ("DAQ")) system, and claims 40-48 and 50-51 respectively dependent therefrom have been canceled without prejudice.

Claims 1-9, 13, 21-34, and 38-45 were rejected under "35 U.S.C. § 102(b) as being anticipated by Handique et al. U.S. 5,750,015." The undersigned understands from a March 29, 2004 telephone discussion with the Examiner that "Handique" refers to U.S. patent no. 6,130,098 to Handique et al.

Handique discloses microscale devices including sensors, e.g., temperature sensors.¹

Handique does not disclose determining, utilizing at least one internal component, the presence or absence of a micro-droplet at a selected position, as recited in method claims 1 or 28. Nor does Handique disclose determining, utilizing at least one internal component, the presence or absence of a micro-droplet within a region of the MF device, as recited in method claim 38. For example, there is no disclosure that a microscale device was used to perform the determining step of any of claims 1, 28, or 38.

Handique does not disclose sensing the presence or absence of a micro-droplet at a selected position in a selected passage by internal components acting as a micro-droplet presence sensor by sensing an indicator of the thermal capacity in a region about the position, as described in method claim 26. For example, there is no disclosure that a microscale device was used to perform the sensing step of claim 26.

Handique does not disclose sensing, utilizing at least one internal component, the presence or absence of a micro-droplet at a selected position, as recited in method claim 27. For example, there is no disclosure that a microscale device was used to perform the sensing step of claim 27.

Claims 10-12, 14-20, 35-37, and 46-53 were rejected under 35 U.S.C. § 103(a) as being

¹ Handique, 4:4-7 and 27:59-67.

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unpatentable over Handique in further view of Soane or, the alternative, Southgate.

Neither Handique alone nor any combination of Handique with Soane and Southgate includes suggestion or motivation to modify Handique to achieve the determining step of claims 1 or 28, the determining step of claim 38, the sensing step of claim 26, or the sensing step of claim 27. Accordingly, the rejection of independent claims 1 and 26-28, and 38 and their respective dependent claims should be withdrawn.

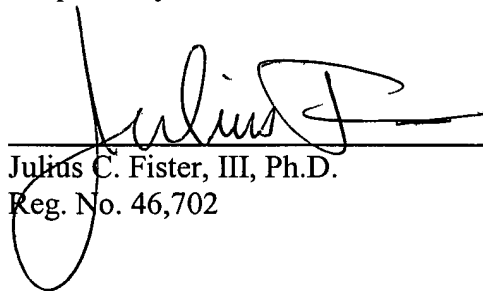
In view of the foregoing, it is submitted that the rejections set forth in the Office Action have been overcome.

Enclosed is a \$510.00 check for the Petition for Extension of Time fee. Please apply any credits or other charges to deposit account 06-1050.

Respectfully submitted,

Date: _____

1/3/05



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